

REMARKS

Claims 1-8, 10-15 and 17 remain pending in the present patent application. Claims 1-8, 10-15 and 17 stand rejected. Claims 1, 10 and 15 have been amended. No new matter has been added. Support for the amendments can be found in the application at least at Figure 4, computer-readable storage device 416 and page 12 lines 9-12. Applicants respectfully request the Examiner to consider the allowance of Claims 1-8, 10-15 and 17 in view of the instant response.

35 U.S.C. §101 Rejection

CLAIMS 1, 10 and 15

The instant Office Action, in section 7, states that Claims 1-8, 10-15 and 17 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Applicants submit that the rejection is overcome. Applicants respectfully submit that amendments made to claims 1, 10 and 15 provide compliance with 35 U.S.C. §101. The amended Claim 1 provides for “An exception handling mechanism, stored in one or more computer-readable storage devices, comprising” (emphasis added) with similar language in Claims 10 and 15.

For this reason, Applicants respectfully submit that the rejection of Claims 1, 10 and 15 under 35 U.S.C. § 101 is overcome. Claims 2-8 depend from

independent Claim 1, Claims 11-14 depend from independent Claim 10, and Claim 17 depends from independent Claim 15. Hence by Claims 1,10 and 15 overcoming the 35 U.S.C. §101 rejection, Claims 2-8, 11-14 and 17 overcome the rejection as well.

35 U.S.C. §102 Rejection

The instant Office Action states that Claims 1-8, 10-15 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by US Patent No. 6,339,832 to Bowman-Amuah (hereinafter Bowman-Amuah). The rejections and comments set forth in the instant Office Action have been carefully considered by the Applicants. Applicants respectfully submit that Claims 1-8, 10-15 and 17 are not anticipated by Bowman-Amuah in view of at least the instant response.

Applicants respectfully point out that Claim 1 recites (Claims 10 and 15 include similar features),

An exception handling mechanism stored in one or more computer-readable storage devices, said exception handling mechanism comprising:

an exception handler for recording exception information dependant on types of exceptions and programming tasks that encounter exceptions; and

a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task, wherein the action is performed outside of a debugging operation;

wherein the action to be taken upon the occurrence of the exception corresponds to a type of exception and a programming

task, and includes one or a combination of restarting the programming task, terminating the programming task, resetting a system running the programming task, and disregarding the exception,

wherein the exception handler and the recovery agent run on a first system that operates autonomously and the first system is embedded in a second system.”

MPEP §2131 provides:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

The instant Office Action states that “Claim 1: Bowman-Amuah discloses an mechanism comprising: an exception handler for recording exception information (e.g., Fig. 145 col.262:61-col.263:67; col.264.45-col.265:33) dependant on types of exceptions and programming tasks that encounter exceptions (e.g., Fig. 143 col.260:54-col.261:37; co.263:28-67; col.264:9-44; col.265:61-col.266:56); and a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task (e.g., Fig.55, col.193:41-col.194:34; col.93:24-50), wherein the action is performed outside of a debugging operation (e.g., Fig.10, Base Services with Batch jobs, col.31:57-col.32:38; FIG.28, Batch jobs exceptions are handled outside a debugging operation, col.106:65-col.109:34)...” (emphasis added; instant Office Action page 5 section 9).

BOWMAN-AMUAH DOES NOT DISCLOSE EVERY CLAIM ELEMENT

Applicants respectfully submit that Bowman-Amuah does not anticipate “a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task, wherein the action is performed outside of a debugging operation” (emphasis added; Applicants Claim 1). Applicants understand Bowman-Amuah to disclose “A system, method and article of manufacture are provided for recording exception handling requirements for maintaining a consistent error handling approach. An exception response table is provided in which an exception is recorded. The context of the exception is entered in the exception response table and a response for the exception is listed in the exception response table. The response is subsequently outputted upon the exception occurring in the context.” (emphasis added; Bowman-Amuah Summary of the Invention). In other words, Bowman-Amuah discloses an exception handler that places exceptions in context according to what type of exception each exception is.

As stated above, the instant Office Action states, “a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task (e.g., Fig.55, col.193:41-col.194:34; col.93:24-50).” Applicants understand col. 193-4 to refer to FIG. 55 which does not disclose exceptions and exception handling, but instead discloses “FIG. 55 illustrates a flowchart for a method 5500 for representing a plurality of batch jobs of a system each with a

unique class. (Col.193:24-45). Applicants submit that a “batch job”, as disclosed in Bowman-Amuah, is not an exception and does not imply an exception nor exception handling. Applicants respectfully point out that Bowman-Amuah refers to exceptions and exception handling in other portions of Bowman-Amuah and would have not have used the phrase “batch job” to refer to an exception.

Similarly, col.93:24-50 do not disclose “a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task” but instead discloses “[t]he automatic restart/recovery feature helps a system recognize when components have failed and attempts to restart them.” (col.93:35-37). Applicants submit that this portion of Bowman-Amuah discloses recovery of “components” when “components have failed” and not what is disclosed in Claim 1. Therefore Applicants submit that Bowman-Amuah does not disclose “a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task” (Applicants’ Claim 1).

As stated above, the instant Office Action state, “wherein the action is performed outside of a debugging operation (e.g., Fig.10, Base Services with Batch jobs, col.31:57-col.32:38; FIG.28, Batch jobs exceptions are handled outside a debugging operation, col.106:65-col.109:34).” Applicants understand Bowman-Amuah Fig.10 col.31:57-col.32:38 to disclose a “Framework Overview” for the “Netcentric Architecture Framework” and does not disclose “a recovery agent for taking an action upon an occurrence of an exception that occurred for a

programming task, wherein the action is performed outside of a debugging operation” nor does it disclose the handling of exceptions.

Additionally, Applicants understand FIG.28 col.106:65-col.109:34 to disclose descriptions of various components used by the technology in Bowman-Amuah and “[b]atch processing is used to perform large scale repetitive processing where no user involvement is required as well as reporting.” Applicants submit that this portion of Bowman-Amuah does not refer to exceptions and exception handling nor does it refer to taking action regarding an exception outside of a debugging operation as disclosed in Applicant’s Claim 1. As argued above, had this portion of Bowman-Amuah been referring to exceptions and exception handling, it would have used those terms as opposed to terms such as “batch jobs.” Therefore, Applicants submit that Bowman-Amuah does not teach “a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task, wherein the action is performed outside of a debugging operation” (Applicants Claim 1).

Claims 10 and 15 have features similar to Claim 1 and the same portions of Bowman-Amuah are relied upon in the instant Office Action. Therefore the above arguments apply to Claims 1, 10 and 15 and their dependent Claims.

**BOWMAN-AMUAH DOES NOT DISCLOSE THE CLAIMED ELEMENTS
AS ARRAIGNED BY APPLICANTS’ CLAIMS**

Applicants respectfully submit that the different portions of Bowman-Amuah cited by the instant Office Action do not disclose the claimed invention as arraigned by the Applicant's Claims. As argued above, Applicant's do not concede that Bowman-Amuah discloses Applicants' invention. However, Applicants submit that if the cited portions of Bowman-Amuah disclosed elements of the claimed invention, it does not disclose the invention as arraigned by Applicant's Claims.

For example, the instant Office Action states, "Claim 1: Bowman-Amuah discloses an mechanism comprising: an exception handler for recording exception information (e.g., Fig. 145 col.262:61-col.263:67; col.264.45-col.265:33) (the instant Office Action page 5 section 9). "[A]n exception handler for recording exception information" is the first element of Claim 1. The instant Office Action then states, "dependant on types of exceptions and programming tasks that encounter exceptions (e.g., Fig. 143 col.260:54-col.261:37; co.263:28-67; col.264:9-44; col.265:61-col.266:56); and a recovery agent for taking an action upon an occurrence of an exception that occurred for a programming task (e.g., Fig.55, col.193:41-col.194:34; col.93:24-50), wherein the action is performed outside of a debugging operation (e.g., Fig.10, Base Services with Batch jobs, col.31:57-col.32:38; FIG.28, Batch jobs exceptions are handled outside a debugging operation, col.106:65-col.109:34)." This references the second element of Applicants' Claim 1. In this portion of the instant Office

Action, the columns cited in Bowman-Amuah include columns 31-32, 93, 106-109, 193-194, and 260-265.

On further inspection of the cited portions, the instant Office Action cites portions of Bowman-Amuah that disclose different embodiments of the invention disclosed in Bowman-Amuah. While columns 260-265 discuss exceptions and exceptions handling, columns 106-109 and 193-194 discuss batch jobs. As argued above, Applicants submit that exceptions and exceptions handling are not batch jobs. While Claim 1 is cited as an example, Claims 10 and 15 have features similar to Claim 1 and the instant Office Action relies on the same portions of Bowman-Amuah for the similar features. Therefore, because the different portions of Bowman-Amuah cited by the instant Office Action are separated by numerous pages and disclose different embodiments of the invention, Applicants submit that Bowman-Amuah does not disclose Applicants' invention as arraigned by the Claims.

CONCLUSION

In light of the facts and arguments presented herein, Applicants respectfully request reconsideration of the rejected Claims.

Based on the amendments and arguments presented above, Applicants respectfully assert that Claims 1-8, 10-15 and 17 overcome the rejections of record. Therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
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Date: 11/12/2008

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